



Order Filed on March 25, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorney for First Guaranty Mortgage Corporation

In Re:

Peter F. DeFelice

Brooke L. DeFelice

CASE NO. 17-25333-CMG

Chapter: 13

Hearing: March 17, 2021

Judge: Christine M. Gravelle

**ORDER RESOLVING FIRST GUARANTY MORTGAGE CORPORATION'S
MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: March 25, 2021

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Peter F. DeFelice and Brooke L. DeFelice

Case No: 17-25333-CMG

Caption of Order: Order Resolving First Guaranty Mortgage Corporation's Motion for Relief from Stay

Upon consideration of First Guaranty Mortgage Corporation, its successors and/or assigns, (hereinafter "Movant") application for an order, pursuant to section 362(d) of the Bankruptcy Code, for relief from the automatic stay as to certain real property as hereinafter set forth, and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for cause shown, it is hereby;

ORDERED as follows:

1. Since the filing of the motion, the Debtors made a payment to Movant in the amount of \$4,000.00 on or about January 26, 2021.
2. Since the filing of the motion, the Debtors made an additional payment to Movant in the amount of \$25,000.00 on or about February 11, 2021.
3. As of March 8, 2021, the post-petition arrears was reduced to \$28,268.65 and the Debtors were due for the regular monthly payments each due January 1, 2020 through and including the March 1, 2021 post-petition payment.
4. On or about March 15, 2021, the Debtors made a payment to Movant in the amount of \$21,000.00. If said funds clear the check negotiation process, it would reduce the post-petition arrears to \$7,268.65.
5. If said \$21,000.00 payment does not clear the check negotiation process (c/k/a "bounced check," NSF, etc), then Movant may immediately certify default with the court, and not subject to the 30-day waiting period.
6. The Debtors shall cure said remaining post-petition arrears of \$7,268.65 by March 31, 2021.
7. The Debtors shall bring the account current, post-petition by March 31, 2021.

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8. Commencing with the April 1, 2021 regular monthly post-petition mortgage payment and continuing each month thereafter for the duration of this Chapter 13 proceeding, Debtors shall remit payments directly to Movant as same come due.

9. Debtors shall reimburse Movant through their Chapter 13 Plan of Reorganization, as an administrative claim, the sum of \$1,038.00 for attorney's fees and costs incurred by Movant in the prosecution of its application for relief from stay.

10. **Thirty-Day Default Clause:** If the Debtors should default and fail to make the payments stated herein or any future payments that come due during the pendency of this case to Movant for more than (30) days from the due date, then upon Certification of Default of said payments in accordance herewith submitted by secured creditor's counsel, and under the timeframe providing for any opposition filed under LBR 4001-1(b)(2), the Court shall enter a General Relief Order, vacating the automatic stay of 11 *U.S.C.* §362(a) with respect to the realty commonly known as 17 Nottingham Way, Eastampton, NJ 08060.